

HONORABLE FRANKLIN D. BURGESS

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA

TRAVELERS CASUALTY AND SURETY COMPANY
OF AMERICA, a Connecticut corporation,

Plaintiff,

v.

SPECIALIZED LANDSCAPING, INC.; MICHAEL
PILAND and ROBIN STEPHANIE PILAND, husband
and wife and their marital community,

Defendants.

SPECIALIZED LANDSCAPING, INC., a Washington
corporation,

Third-Party Plaintiff,

v.

ELLIOTT BAY PUBLISHING, INC., dba ELLIOTT
BAY MANAGEMENT GROUP, a Washington
corporation; LYNN TAYLOR and JANE DOE TAYLOR,
husband and wife and their marital community,

Third-Party Defendants.

NO. C 04-5789-FDB

STIPULATION RE VOLUNTARY
DISMISSAL OF CLAIMS BY
ELLIOTT BAY PUBLISHING,
INC., dba ELLIOTT BAY
MANAGEMENT GROUP

STIPULATION RE VOLUNTARY DISMISSAL BY
ELLIOTT BAY PUBLISHING, INC. - 1
C04-5789-FDB

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Phone: 206-587-0700 • Fax: 206-587-2308

ELLIOTT BAY PUBLISHING, INC., dba ELLIOTT
BAY MANAGEMENT GROUP,

Third-Party Plaintiffs,

v.

MICHAEL PILAND and ROBIN STEPHANIE PILAND,
husband and wife and their marital community

Third-Party Defendants.

VOLUNTARY STIPULATION

IT IS HEREBY STIPULATED by the undersigned counsel of record that the counterclaims of ELLIOTT BAY PUBLISHING, INC., d/b/a ELLIOTT BAY MANAGEMENT GROUP against SPECIALIZED LANDSCAPING, INC. shall be dismissed without prejudice, and without costs or fees to either party.

IT IS ALSO HEREBY STIPULATED by the undersigned counsel of record that the third-party claims of ELLIOTT BAY PUBLISHING, INC., d/b/a ELLIOTT BAY MANAGEMENT GROUP against third-party defendants MICHAEL PILAND and ROBIN STEPHANIE PILAND shall be dismissed without prejudice and without costs or fees to either party.

This does not affect any claims against other parties to this matter.

DATED this 31st day of August, 2005.

CAIRNCROSS & HEMPELMANN, P.S.

/s/ Melinda M. Riddle

J. Thomas Richardson, WSBA # 18437
Melinda Riddle, WSBA # 30878
Attorneys for Elliott Bay Publishing, Inc.,
d/b/a Elliott Bay Management Group

STIPULATION RE VOLUNTARY DISMISSAL BY
ELLIOTT BAY PUBLISHING, INC. - 2
C04-5789-FDB

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1 CLAUSEN LAW FIRM, PLLC

2 /s/ Mark A. Clausen (via email authorization)
3 Mark A. Clausen, WSBA # 15693
4 Attorneys for Specialized Landscaping, Inc.

5 SCHIFFRIN OLSON SCHLEMLEIN & HOPKINS

6 /s/ Andrew W. Torrance (via email authorization)
7 James T. Hopkins, WSBA # 11856
8 Andrew W. Torrance, WSBA # 11546
9 Attorneys for Travelers Casualty & Surety Co.
Of America

10 **ORDER**

11 PURSUANT to the foregoing Stipulation, now, therefore, it is hereby

12 ORDERED that any and all counterclaims by Elliott Bay Publishing, Inc., d/b/a Elliott
13 Bay Management Group against Specialized Landscaping, Inc. are hereby dismissed without
14 prejudice and without costs or fees to any party. It is also hereby

15 ORDERED that any and all third-party claims by Elliott Bay Publishing, Inc., d/b/a
16 Elliott Bay Management Group against Michael Piland and Robin Stephanie Piland are hereby
17 dismissed without prejudice and without costs or fees to any party.
18

19 DONE IN OPEN COURT this 2nd day of September 2005.

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22 FRANKLIN D. BURGESS

23 UNITED STATES DISTRICT JUDGE

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26 STIPULATION RE VOLUNTARY DISMISSAL BY
ELLIOTT BAY PUBLISHING, INC. - 3
C04-5789-FDB

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1 Presented by:

2 CAIRNCROSS & HEMPELMANN, P.S.

3 /s/ Melinda M. Riddle

4 J. Thomas Richardson, WSBA # 18437
5 Melinda M. Riddle, WSBA # 30878
6 Attorneys for Elliott Bay Publishing, Inc.,
d/b/a Elliott Bay Management Group

7 Approved as to Form; Notice of
8 Presentation Waived:

9 CLAUSEN LAW FIRM, PLLC

10 /s/ Mark A. Clausen (via email authorization)

11 Mark A. Clausen, WSBA # 15693
12 Attorneys for Specialized Landscaping, Inc.

13 Approved as to Form; Notice of
14 Presentation Waived:

15 SCHIFFRIN OLSON SCHLEMLEIN & HOPKINS

16 /s/ Andrew W. Torrance (via email authorization)

17 James T. Hopkins, WSBA # 11856
18 Andrew W. Torrance, WSBA # 11546
19 Attorneys for Travelers Casualty & Surety Co.
20 Of America

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26 STIPULATION RE VOLUNTARY DISMISSAL BY
ELLIOTT BAY PUBLISHING, INC. - 4
C04-5789-FDB

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Certificate of Service

I, Marian C. DiPerna, certify under penalty of perjury of the laws of the State of Washington that, on August 31, 2005, I electronically filed the Voluntary Dismissal of Claims of Elliott Bay Publishing, Inc., d/b/a Elliott Bay Management Group with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

- **Mark A Clausen**
mclausen@clausenlawfirm.com
- **Andrew W Torrance**
awt@soslaw.com
- **James T. Hopkins**
awt@soslaw.com

SIGNED this 31st day of August, 2005, at Seattle, Washington.

/s/ Marian C. DiPerna
Marian C. DiPerna, Legal Assistant

STIPULATION RE VOLUNTARY DISMISSAL BY
ELLIOTT BAY PUBLISHING, INC. - 5
C04-5789-FDB

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